

**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN THE MATTER OF:**

**CHAPTER 13 CASE NO:**

**JOSIE M. SANDERS**

**14-12715-JDW**

**NOTICE OF TRUSTEE'S MOTION TO DISMISS**

Should any party receiving this notice respond or object to said motion, such response or objection is required to be filed on or before May 9, 2019, using the CM/ECF system or with the Clerk of this Court at the following address:

Shallanda J. Clay Clerk of Court  
U. S. Bankruptcy Court  
Northern District of Mississippi  
703 Highway 145 North  
Aberdeen, MS 39730

and a copy must be served on the undersigned Chapter 13 Trustee. If no responses are filed, the Court may consider said motion immediately after the time has expired. In the event a written response is filed, the Court will notify you of the date, time and place of the hearing thereon.

**CERTIFICATE**

I, the undersigned Attorney for Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the following attorneys of record and/or parties of interest.

Dated: April 15, 2019

**LOCKE D. BARKLEY,  
CHAPTER 13 TRUSTEE**

/s/ Melanie T. Vardaman  
ATTORNEYS FOR TRUSTEE  
W. Jeffrey Collier (MSB 10645)  
Melanie T. Vardaman (MSB 100392)  
6360 I-55 North, Suite 140  
Jackson, Miss. 39211  
(601) 355-6661  
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**IN THE UNITED STATES BANKRUPTCY COURT FOR  
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**MOTION TO DISMISS**

COMES NOW the Chapter 13 Trustee, Locke D. Barkley (the “Trustee”), by and through counsel, and files this Motion to Dismiss (the “Motion”) in the above referenced case, and in support thereof states as follows:

1. On July 22, 2014, the Debtor initiated this proceeding with the filing of a Chapter 13 Bankruptcy Petition. The Debtor’s Chapter 13 Plan was confirmed by Order of this Court on October 28, 2014, for a term of 60 months (Dkt. #11) (the “Confirmed Plan”).

2. Through the month of March 2019, the Debtor is \$855.00 delinquent in plan payments to the Trustee. Payments continue to accrue at the rate of \$833.00 per month thereafter.

3. The Trustee requests that this case be dismissed.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that this Motion be received and filed and upon a hearing, this Court will enter its order granting the Motion and for such other, further and general relief to which the Trustee and this bankruptcy estate may be entitled.

Dated: April 15, 2019

Respectfully submitted,

**LOCKE D. BARKLEY,  
CHAPTER 13 TRUSTEE**

By: /s/ Melanie T. Vardaman  
ATTORNEYS FOR TRUSTEE  
W. Jeffrey Collier (MSB 10645)  
Melanie T. Vardaman (MSB 100392)  
6360 I-55 North, Suite 140  
Jackson, Miss. 39211  
(601) 355-6661  
ssmith@barkley13.com

**CERTIFICATE OF SERVICE**

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

Dated: April 15, 2019

/s/ Melanie T. Vardaman  
MELANIE T. VARDAMAN